

CHROME HEARTS LLC, a Delaware  
Limited Liability Company,

Plaintiff,  
v.

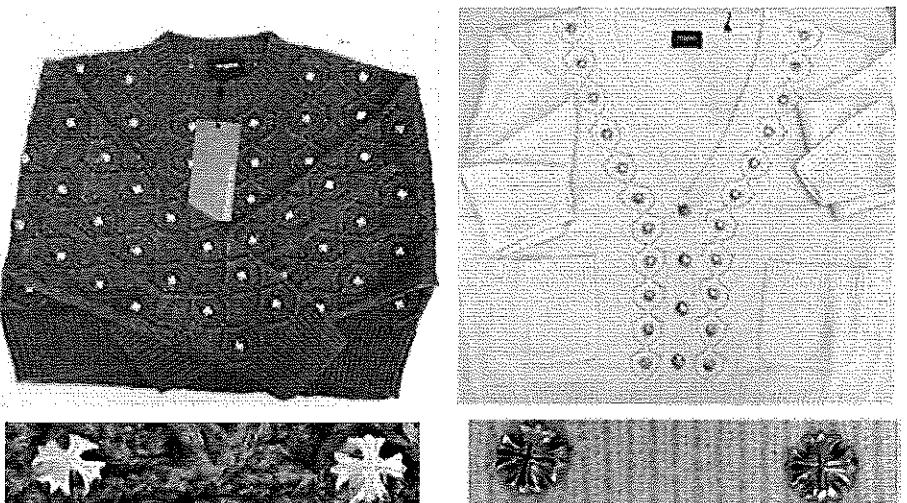
THE KOOPLES USA, INC., a Delaware  
Corporation; and DOES 1-10, inclusive,

Defendant.

CASE NO. 1:19-cv-03263-JGK

**[PROPOSED] ORDER RE  
PERMANENT INJUNCTION AND  
VOLUNTARY DISMISSAL OF  
DEFENDANT WITH PREJUDICE**

WHEREAS, Plaintiff Chrome Hearts LLC (“Chrome Hearts” or “Plaintiff”) has filed a Complaint in this action charging, *inter alia*, Defendant The Kooples USA, Inc. (“Defendant” or “The Kooples”) with trademark infringement, unfair competition and related common and state law claims arising from Defendant’s alleged unauthorized manufacture, production, distribution, advertisement, offering for sale, and/or sale of products bearing unauthorized reproductions of the Chrome Hearts Marks (attached hereto and incorporated herein as **Exhibit A**) (such products hereinafter referred to as “Accused Products.”), and exemplars of the Accused Products being shown below:



*Examples of Accused Products*

WHEREAS, the parties have entered into a Settlement Agreement and Mutual Release to fully resolve all of the claims in this action among the parties;

WHEREAS, without any admission of liability, Defendant The Kooples has consented to entry of a permanent injunction under the terms below, **IT IS HEREBY ORDERED** that:

1. Defendant and its agents, servants, employees and all entities and/or persons in active concert and participation with him are hereby permanently restrained and enjoined from infringing upon the Chrome Hearts Marks in **Exhibit A**, including, but not limited to:

a. manufacturing, importing, advertising, marketing, promoting, supplying, distributing, offering for sale, or selling the Accused Products or any other products which bear the Chrome Hearts Marks and/or any marks confusingly similar thereto;

b. engaging in any other activity constituting unfair competition with Chrome Hearts, or acts and practices that deceive consumers, the public, and/or trade, including without limitation, the use of designations and design elements used or owned by or associated with Chrome Hearts; and

c. committing any other act which falsely represents or which has the effect of falsely representing that the goods and services of Defendant are licensed by, authorized by, offered by, produced by, sponsored by, or in any other way associated with Chrome Hearts.

WHEREAS, Plaintiff and Defendant have further agreed as follows, and **IT IS HEREBY FURTHER ORDERED** that:

2. This Court has jurisdiction over the parties herein and has jurisdiction over the subject matter hereof pursuant to 15 U.S.C. § 1121.

3. The Parties' Stipulation to and entry of this Order shall serve to bind and obligate the Parties hereto.

4. Each Party shall bear their own attorneys' fees and costs associated with the present action with neither one to be deemed as the prevailing Party.

5. The jurisdiction of this Court is retained for the purpose of enforcing or modifying the Permanent Injunction granted by this Order.

6. Except as provided for herein, Defendant is hereby dismissed with prejudice.

**IT IS SO ORDERED.**

DATED: 9/22, 2020

By:

  
Honorable John G. Koeltl  
United States District Judge

*This Case is reopened for purposes  
of entering this injunction.*

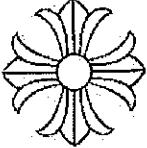
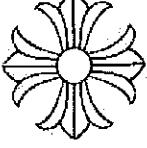
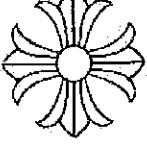
*The Clerk should now close the  
case.*

*so ordered.*

  
U.S.D.J.

*9/22/20*

**EXHIBIT A**

Mark	U.S. Reg. No.	Relevant Goods
 CH Plus Mark	3,388,911	Clothing, Namely, Tee Shirts, Shirts, Tank Tops, Sweatshirts, Sweat Pants, Sweaters and Hats
 CH Plus Mark	3,385,449	Jewelry, Namely, Bracelets, Rings, Watch Bands, Necklaces and Lighters Made of Precious Metals
 CH Plus Mark	3,743,975	Retail Store Services In The Field Of Jewelry, Clothing, Handbags, Eyewear, Home Furnishings, Bed Linen and Toys